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To: [All of Court Administrators \(EOIR\)](#); [All of Judges \(EOIR\)](#); [All of OCIJ HDQ \(EOIR\)](#); [All of OCIJ JLC \(EOIR\)](#); [BIA ATTORNEYS \(EOIR\)](#); [BIA BOARD MEMBERS \(EOIR\)](#); [EOIR Library \(EOIR\)](#); [BIA SUPPORT \(EOIR\)](#); [BIA TEAM P \(EOIR\)](#); [Butler, Vicki A. \(EOIR\)](#); [Carr, Donna \(EOIR\)](#); [King, Jean \(EOIR\)](#); [OGC \(EOIR\)](#); [McHenry, James \(EOIR\)](#); [Reilly, Katherine \(EOIR\)](#); [Santoro, Christopher A \(EOIR\)](#); [Alder Reid, Lauren \(EOIR\)](#); [Berkeley, Nathan \(EOIR\)](#); [Cowles, Jon \(EOIR\)](#); [Bauder, Melissa \(EOIR\)](#); [Korniluk, Artur \(EOIR\)](#); [Adams, Amanda \(EOIR\)](#); [Pease, Jeffrey \(EOIR\)](#)
Cc: [Rose, Karen \(EOIR\)](#); [Atkinson, Pamela \(EOIR\)](#); [Leftwich, Andrew \(EOIR\)](#); [Ferris, Brittany \(EOIR\)](#)
Subject: Matter of A-B-, 27 I&N Dec. 316 (A.G. 2018)
Date: Monday, June 11, 2018 3:00:57 PM

The above precedent decision can be found in Volume 27 at page 316. The link to the decision is:

<https://www.justice.gov/eoir/page/file/1070866/download>

- (1) *Matter of A-R-C-G-*, 26 I&N Dec. 338 (BIA 2014) is overruled. That decision was wrongly decided and should not have been issued as a precedential decision.
- (2) An applicant seeking to establish persecution on account of membership in a “particular social group” must demonstrate: (1) membership in a group, which is composed of members who share a common immutable characteristic, is defined with particularity, and is socially distinct within the society in question; and (2) that membership in the group is a central reason for her persecution. When the alleged persecutor is someone unaffiliated with the government, the applicant must also show that her home government is unwilling or unable to protect her.
- (3) An asylum applicant has the burden of showing her eligibility for asylum. The applicant must present facts that establish each element of the standard, and the asylum officer, immigration judge, or the Board has the duty to determine whether those facts satisfy all of those elements.
- (4) If an asylum application is fatally flawed in one respect, an immigration judge or the Board need not examine the remaining elements of the asylum claim.
- (5) The mere fact that a country may have problems effectively policing certain crimes or that certain populations are more likely to be victims of crime, cannot itself establish an asylum claim.
- (6) To be cognizable, a particular social group must exist independently of the harm asserted in an application for asylum.
- (7) An applicant seeking to establish persecution based on violent conduct of a private actor must show more than the government’s difficulty controlling private behavior. The applicant must show that the government condoned the private actions or demonstrated an inability to protect the victims.
- (8) An applicant seeking asylum based on membership in a particular social group must clearly indicate on the record the exact delineation of any proposed particular social group.
- (9) The Board, immigration judges, and all asylum officers must consider, consistent with the

regulations, whether internal relocation in the alien's home country presents a reasonable alternative before granting asylum.

KRYSTAL BRACKETT

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